

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ONEIDA CONSUMER, LLC, *et al.*,

Plaintiffs,

v.

**Civil Action 2:20-2043
Judge James L. Graham
Chief Magistrate Judge Elizabeth P. Deavers**

ELYSE FOX,

Defendant.

ORDER

This case is set for a settlement conference on **TUESDAY, OCTOBER 20, 2020, at 12:30 P.M.** under Federal Rule of Civil Procedure 16(a)(5) and (c)(2) before The Honorable Elizabeth A. Preston Deavers. Counsel and the parties are instructed to join the settlement conference at the following website: <https://global.gotomeeting.com/join/225994013>. Counsel and the parties will be prompted to enter access code 225-994-013 and password 552294.

Counsel and the parties shall adhere to the following with respect to the settlement conference:

- (1) The trial attorney for each party must attend the conference.
- (2) The parties or principals with settlement authority shall be present. Fed. R. Civ. P. 16(c).
- (3) Lack of discovery or settlement authority will not excuse active participation in the conference.

(4) No later than **fourteen (14) days** before the conference, Plaintiffs must submit to counsel for Defendant a fully documented, written settlement demand.

(5) No later than **ten (10) days** before the conference, Defendant must respond, in writing, to each settlement demand, fully documenting its position.

(6) No later than **seven (7) days** before the conference, each party shall submit directly and only to Chambers a letter (**Confidential Assessment**), not to exceed three pages, (a) explaining the party's theory of the case, (b) indicating its position on settlement (in monetary terms, if applicable), and (c) setting forth all conditions necessary to achieve settlement (including non-monetary terms). The parties **must also include** a phone number where counsel wishes to be reached on the day of mediation. The Confidential Assessments and phone numbers should be emailed to Deavers_Chambers@ohsd.uscourts.gov.

IT IS SO ORDERED.

Date: October 1, 2020

/s/ Elizabeth A. Preston Deavers
ELIZABETH A. PRESTON DEAVERS
CHIEF UNITED STATES MAGISTRATE JUDGE